

has a confirmed reservation. If the flight is overbooked, no one will be denied a seat until airline personnel first ask for volunteers willing to give up their reservation in exchange for a payment of the airline's choosing. If there are not enough volunteers the airline will deny boarding to other persons in accordance with its particular boarding priority. With few exceptions persons denied boarding involuntarily are entitled to compensation. The complete rules for the payment of compensation and each airline's boarding priorities are available at all airport ticket counters and boarding locations. Some airlines do not apply these consumer protections to travel from some foreign countries, although other consumer protections may be available. Check with your airline or your travel agent.

(b) Every carrier shall include with each ticket sold in the United States the notices set forth in paragraph (a) of this section, printed in at least 12-point type. The notice may be printed on a separate piece of paper, on the ticket stock, or on the ticket envelope. The last two sentences of the notice shall be printed in a type face contrasting with that of the rest of the notice.

(c) It shall be the responsibility of each carrier to ensure that travel agents authorized to sell air transportation for that carrier comply with the notice provisions of paragraphs (a) and (b) of this section.

(d) [Reserved]

(e) Any air carrier or foreign air carrier engaged in foreign air transportation that complies fully with this part for inbound traffic to the United States need not use the last two sentences of the notices required by paragraph (a) of this subsection.

(Approved by the Office of Management and Budget under control number 3024-0018)

[ER-1306, 47 FR 52985, Nov. 24, 1982, as amended by ER-1392, 49 FR 40401, Oct. 16, 1984]

PART 252—SMOKING ABOARD AIRCRAFT

Sec.

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AUTHORITY: Secs. 204, 404, 407 and 416 of Pub. L. 85-726 and 101-164, as amended, 72 Stat. 743, 760, 766, 771, 49 U.S.C. 1324, 1374, 1377, 1386.

SOURCE: 55 FR 4993, Feb. 13, 1990, unless otherwise noted.

CROSS REFERENCE: For smoking rules of the Federal Aviation Administration, see 14 CFR 121.317(c), 121.571(a)(1)(i), 129.29, 135.117(a)(1), and 135.127(a).

§ 252.1 Purpose.

This part implements a ban on smoking of tobacco on flight segments between most U.S. points as required by section 335 of Public Law 101-164. It also continues smoking restrictions on other flights. Nothing in this regulation shall be deemed to require U.S. or foreign air carriers to permit the smoking of tobacco aboard aircraft.

§ 252.3 Applicability.

Section 252.5 applies to scheduled-service flight segments operated by U.S. and foreign direct air carriers between the U.S. points specified in that section. The remainder of this part applies to all operations of U.S. direct air carriers, except on-demand services of air taxi operators.

§ 252.5 Smoking ban on U.S. segments.

U.S. and foreign direct air carriers shall prohibit smoking in the passenger cabin and lavatories on any nonstop flight segment that is listed in the current *Official Airline Guide*, or is part of a longer flight that is listed in that publication, and that is:

(a) Between any two points within an area composed of Puerto Rico, the U.S. Virgin Islands, the District of Columbia, and the 48 contiguous states of the United States;

(b) Between any two points within the State of Alaska or within the State of Hawaii; or

(c) Scheduled in the current *Official Airline Guide* to be six hours or less in duration and that is:

(1) Between any point in paragraph (a) of this section and any point in Alaska or Hawaii; or

(2) Between any point in Alaska and any point in Hawaii.